

TASK 16: NOTIFY STATE OF DEFICIENCIES

Description

Following the consultation process, and within 10 days of the exercise, the RAC Chair notifies the State of any problems in organizational performance that have been classified as Deficiencies. If no Deficiencies in organizational performance were identified, then this task does not apply.

Milestone

Within two (2) days of the exercise, the RAC Chair initiates consultation with FEMA Headquarters, RAC members and the State in order to identify potential Deficiencies. As a result of this consultation process, and within 10 days of the exercise, the Regional Director forwards a letter to the State informing them of identified Deficiencies and the actions needed to correct the problem(s). The State acknowledges receipt of this letter and within 20 days of the exercise proposes a schedule for remedial actions. The State may also respond to both the classification of Deficiencies and the time frames for completing corrective actions.

References

44 CFR Part 350.9.

Products

Letter to State informing of Deficiencies and required corrective actions.

Guidance

The RAC Chair, following completion of the consultation process, will determine whether, in fact, there are Deficiencies in organizational performance. A **Deficiency** is defined as an observed or identified inadequacy of organizational performance in an exercise that could cause a finding that offsite emergency preparedness is not adequate to provide reasonable assurance that appropriate protective measures can be taken in the event of a radiological emergency to protect the health and safety of the public living in the vicinity of a nuclear power plant. Because of the potential impact of Deficiencies on emergency preparedness, they should be corrected within 120 days through appropriate remedial actions, including remedial exercises, drills, or other actions.

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FEMA has determined that significant problems identified with the planning elements and corresponding planning standards and objectives outlined in Table 4 below are likely to result in Deficiencies.

TABLE 4: PLANNING ELEMENTS AND EXERCISE DEFICIENCIES

PLANNING ELEMENTS	PLANNING STANDARDS	OBJECTIVES
ASSIGNMENT OF RESPONSIBILITY <i>(Including ORO Control)</i>	A,D	3,30
EMERGENCY RESPONSE SUPPORT & RESOURCES	C,H	2,23,25
ALERT & NOTIFICATION METHODS & PROCEDURES	E	1,10,11
EMERGENCY COMMUNICATIONS	F	4
PUBLICATION EDUCATION & INFORMATION <i>(Including Areas Related to Emergency Public Information)</i>	G	12,13
ACCIDENT ASSESSMENT <i>(Including Field Monitoring & Radiological Assessment)</i>	I,J	6,7,8,24,25
PROTECTIVE RESPONSE <i>(Including Evacuation & Other Protection Responses & Decision Making)</i>	J	9,14-18 26,27,31
RADIOLOGICAL EXPOSURE CONTROL	K	5,22
MEDICAL & PUBLIC HEALTH SUPPORT & SERVICES	L,J	19-21

In the event that Deficiencies are identified, the RAC Chair should prepare a letter to the State for the Regional Director's signature, which will include: (a) jurisdictions affected, (b) description of Deficiency(ies) identified, (c) remedial actions required to correct the identified Deficiency(ies), and (d) time frame for completion of required remedial actions.

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The extent of participation by OROs in a remedial exercise or drill shall be determined by the FEMA Regional Director or his designee (usually the RAC Chair). Some factors to consider in this determination include the following:

- o results of the consultation process initiated after the exercise
- o OROs demonstrate only those activities necessary for correction of the Deficiency(ies)
- o to the extent possible, participation in remedial exercises should be limited to the OROs having the Deficiency(ies)
- o If the corrective action performed by an ORO cannot be demonstrated without the involvement of other OROs, their participation should be at a level necessary to confirm the correction of the Deficiency(ies). If this includes participation by the licensee, the licensee's participation should be arranged through the host NRC Regional Administrator.

Copies of the letter should be provided to FEMA Headquarters, the appropriate NRC Regional Office and the licensee. FEMA Headquarters will provide a copy of the letter to NRC Headquarters.

Within 20 days of the exercise date, the State is requested to acknowledge receipt of the Deficiency letter, respond to its comments, and provide a schedule for completion of the remedial actions.

The primary reason for providing formal documentation of identified Deficiencies to States is to facilitate prompt correction of these identified problems. While it is FEMA's intent to provide this formal documentation to States within 10 days, there may be circumstances where this time frame may not be met. However, through the consultation process initiated immediately following each exercise, all involved exercise participants will be made aware of significant issues and problems that necessitates prompt correction. Subsequent formal notification of Deficiencies more than 10 days after the exercise date should not, therefore, preclude the prompt correction of Deficiencies within 120 days.